IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 20857 of 2007(G)

PETITIONER:

T.K.BALACHANDRAN,S/O LATE KRISHNA PILLAI
KUNNEL HOUSE, MUTHUKULAM NORTH P.O.,
KARTHIKAPPALLY, NOW RESIDING AT "VIJAYA",
DANAPADY, HARIPPAD, ALAPPUZHA DISTRICT.

BY ADV. SRI.N.RAGHURAJ
SMT.K.AMMINIKUTTY

RESPONDENTS:

---

1. THE ADDITIONAL DISTRICT MAGISTRATE,
ALAPPUZHA.

2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
KERALA STATE ELECTRICITY BOARD,
KAYAMKULAM.

3. ANANDAN, CHERUVILASSERIL,
MUTHUKULAM SOUTH, KARTHIKAPPALLY TALUK,
ALAPPUZHA DISTRICT.

BY ADV. SHRI.P.P.THAJUDEEN, SC. KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 20857 of 2007

Dated, this the 27th day of July, 2007

J U D G M E N T

Heard learned counsel for the petitioner and the learned Standing Counsel appearing for KSEB. Petitioner is challenging Ext.P5 order of the ADM approving drawal of electric line over petitioner's property out of which 31 meters of overhead line passes over petitioner's property. The sketch produced by KSEB shows that the alternate route suggested by the petitioner involves drawal of 88 meters of overhead line and crossing of properties of several persons. Therefore, obviously, alternate line is injurious to more number of persons and cannot be approved. However, I find force in petitioner's contention that the line should not be drawn across his property but should be drawn on the extreme southern boundary of petitioner's property. If required, the post on the right side should be shifted to the corner of petitioner's property and line should be drawn through the extreme boundary of petitioner's property reducing inconvenience to the minimum. Since the line approved is only 31 meters of overhead line, if petitioner supplies insulated cable and pipes, KSEB should draw under ground cable through petitioner's southern boundary of property.

This writ petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg